

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.03 P, Closed Area No. 18-E, Cundy's Harbor and Dingley Island, Harpswell, promulgated on December 11, 1997, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.03 P, Closed Area No. 18-E, Cundy's Harbor and Dingley Island, Harpswell

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters in the following areas:

1. Inside and westerly of a line beginning at a red painted post located about 100 yards northerly of Fort Point and running northeasterly to the south easternmost tip of Sheep Island; then running northeasterly to the easternmost tip of Sheep Island; then running northwesterly to the northernmost tip of Sheep Island; then running southwesterly to the southernmost tip of Hopkins Island; AND south of a line across the footbridge from the mainland to Hopkins Island.
2. Inside and northerly of a line beginning at the south end of the easternmost prominence of Dingley Island; then running due west across the small unnamed cove.
3. Inside and northerly of a line beginning at Fort Point and running due west across Sandy Cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: January 13, 2003

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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.03 P, Closed Area No. 18-E, Cundy's Harbor and Dingley Island, Harpswell, promulgated on December 11, 1997, and replaces it with a new regulation. This new regulation closes Sandy Cove for shellfish harvesting.

Department personnel have determined that closed areas are subject to point and non-point pollution, which pose a threat to public health.


E. PENN ESTABROOK
DEPUTY COMMISSIONER



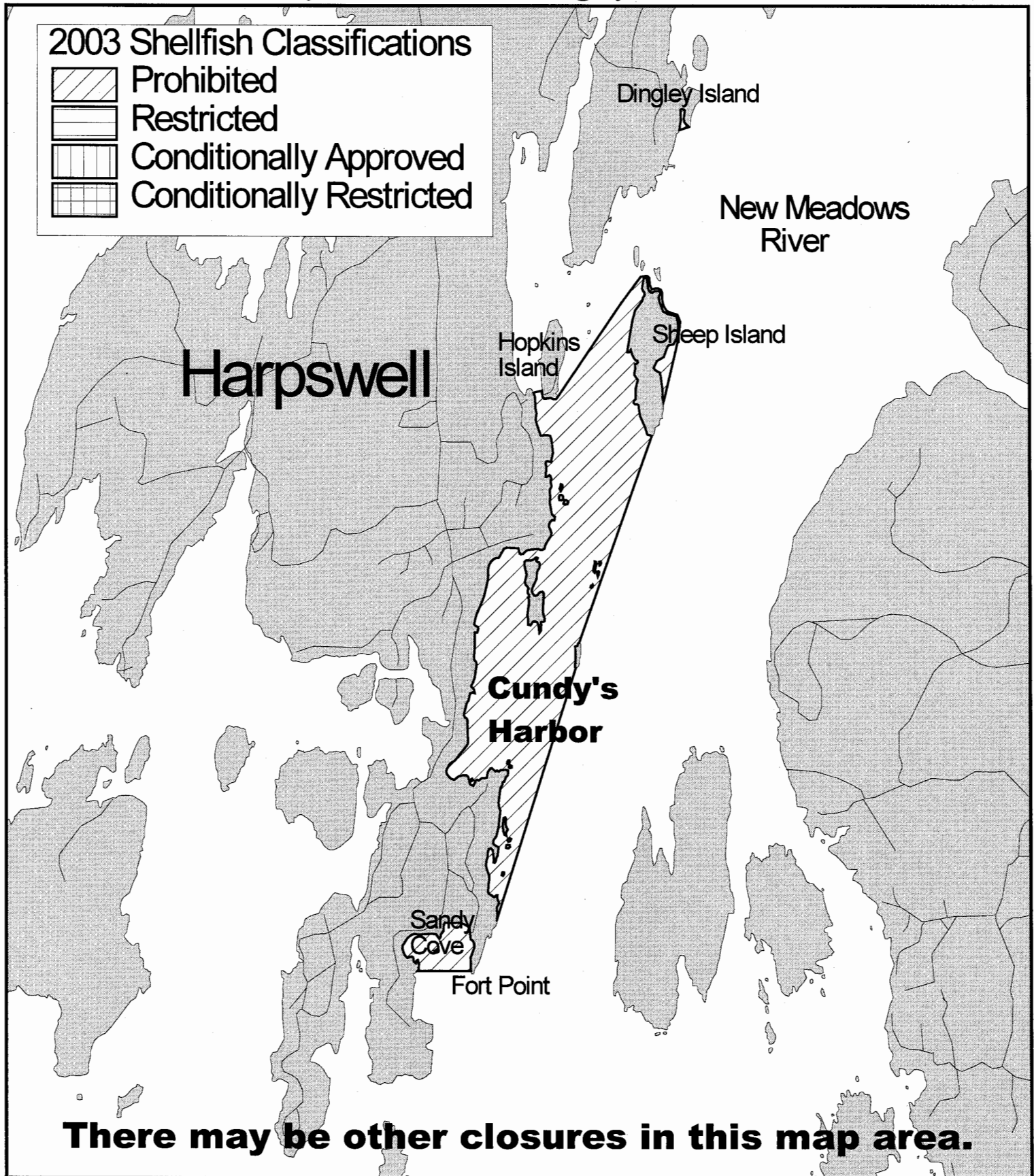
Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

1/10/03



C18E Cundy's Harbor and Dingley Island



0.4 0 0.4 0.8 Miles